

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

CARLA F. SUMMERS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:22-cv-107
)	
CHRIS RUSSELL TRUCKING, LLC)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant Chris Russell Trucking, LLC, pursuant to 28 U.S.C. §1332, submits its Notice of Removal of the captioned matter to the United States District Court for the Southern District of Indiana, New Albany Division, from the Harrison Circuit Court, No. 1, Corydon, Indiana, and states as follows:

1. Chris Russell Trucking, LLC is a defendant in a personal injury action now pending in the Harrison Circuit Court, No. 1 under Cause No. 31C01-2207-CT-000021.
2. Plaintiff filed her Complaint in the Harrison Circuit Court, No. 1 on July 19, 2022.
3. Based upon information provided by the online docket for the Harrison Circuit Court, No. 1, Chris Russell Trucking, LLC was served with a copy of the Summons and Complaint on July 26, 2022.
4. Plaintiff's Complaint is subject to removal on the grounds of diversity jurisdiction pursuant to 28 U.S.C. §1332.

5. Plaintiff, Carla F. Summers, is a citizen of the State of Indiana residing at and domiciled at 245 Atwood Street, Corydon, IN 47122 in Harrison County, Indiana.

6. Chris Russell Trucking, LLC is a limited liability company with its principal place of business in the State of Illinois at 852 County Road 300 E, Norris City, IL 62869. Chris Russell Trucking, LLC is comprised of one member: Chris Russell. Chris Russell resides at and is domiciled at 852 County Road 300 E, Norris City, IL 62869. As such, Chris Russell Trucking, LLC is a citizen of the State of Illinois.

7. The controversy in this cause of action is entirely between citizens of different states.

8. While Plaintiff's Complaint seeks an unspecified amount of damages, Plaintiff refused to admit that her damages are less than \$75,000.00. (See, Exhibit A). Therefore, the amount in controversy exclusive of interest and costs is greater than \$75,000, the jurisdictional threshold required by 28 U.S.C. §1332(a).

9. Attached hereto as Exhibit B is a complete copy of the state court record including the Complaint, Appearance of attorney John Smith for Plaintiff, Summons to Defendant Kevin Yarnell, Summons to Defendant Chris Russell Trucking, LLC, Appearance of attorneys Christopher R. Whitten and Matthew K. Phillips for Defendant Chris Russell Trucking, LLC, Motion for Enlargement of Time, Order Granting Motion for Enlargement of Time, and Plaintiff's First Amended Complaint. These documents constitute all of the pleadings and

process on file with the Harrison Circuit Court, No. 1 as of the date of this filing of this Notice of Removal.

10. Attached hereto as Exhibit C is a separate copy of Plaintiff's Complaint filed on July 19, 2022.

11. Upon receiving a file-marked copy of this Notice of Removal, Defendants will serve the same upon Plaintiff and also file a copy with the Clerk of the Harrison Circuit Court, No. 1.

Respectfully submitted,

WHITTEN LAW OFFICE LLC

s/Christopher R. Whitten

Christopher R. Whitten/#20429-49

Matthew K. Phillips/#28724-49

*Counsel for Defendant Chris Russell
Trucking, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on August 26, 2022, a copy of the foregoing was filed electronically. Parties may access this filing through the Court's system.

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s/Christopher R. Whitten

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